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ABSTRACT

The estimated 1.5 million children in the United States with parents who are incarcerated have experienced disrupted and multiple placements, decreased quality of care, financial hardship, and lack of contact with the parents. Consequently, these children are at risk for poor academic achievement, substance abuse, delinquency, and future incarceration. This issue brief examines characteristics of parents in prison, discusses the effects of parental incarceration, and makes recommendations for intervening to address the children's special needs. The following recommendations are made: (1) identify children in out-of-home care who have incarcerated parents; (2) identify gaps in services and advocate for resource and service development; and (3) enhance services to better meet the needs of children of imprisoned parents by considering ways to provide preventive services, strengthen permanency planning services, strengthen reunification services, and provide more training to caseworkers and foster parents. (KB)

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Parents in Prison: Children in Crisis

AN ISSUE BRIEF

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CHILD WELFARE LEAGUE OF AMERICA

Parents in Prison: Children in Crisis

AN ISSUE BRIEF

Cynthia Beatty

CWLA Press • Washington, DC

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Introduction

The issue of crime in the United States is so well-publicized that it is not surprising to learn that an estimated 1.6 million people are incarcerated in this country's prisons and jails.[1] What does not appear on the news or in the papers, though, is that many of these prisoners are parents—and when they went to prison, they left an estimated 1.5 million children behind. As a result of parental incarceration, and the crimes and arrests that precede it, many of these children have experienced disrupted and multiple placements, decreased quality of care, financial hardship, and lack of contact with their parents. The emotional damage is significant and undeniable. Ultimately, these children are at risk for many behaviors including poor academic achievement, substance abuse, delinquency, and even intergenerational incarceration.

How Does Crime Policy Impact Children?

In this country, we spend a great deal of time talking about what causes crime, how we can prevent crime, and how we should respond to people who commit crime. These are complicated issues that are much-debated by policymakers, crimi-

nal justice experts, and the public in general. In terms of the impact of crime policy on children, though, it is important to understand three key factors.

1. **In this country, more and more people are incarcerated every day.**
   Over the past 10 years, the total population of inmates in custody nationwide has more than doubled—from 744,208 inmates in 1985 to 1,630,940 in 1996.[2] This increase can be attributed in part, to mandatory sentencing guidelines, the "three strikes" rule, and other "get tough on crime" policies and legislation.

2. **The incarceration rate for women is increasing at a rapid rate.**
   Over the past decade, the number of women in prison has more than tripled—from 19,205 in 1984 to 73,607 in 1996.[3] On any given day, there are more than 100,000 women being held in jail or in prison. Most of these women are substance abusers and their criminal behavior is linked to their addiction.[4] The escalating rate of female incarceration is directly related to the public's demand for a crackdown on drug-related activity.

3. **People are serving longer sentences.**
   Because of stricter sentencing requirements, some state and many federal inmates are serving longer prison terms. Federal drug offenders, in particular, are now serving terms 54% longer than the terms they would have served 10 years ago.[5]

How Many Children Have Parents in Prison?

As more and more people are incarcerated for longer periods of time, naturally greater numbers of children are impacted in increasingly significant ways. It is difficult to quantify the problem, though, because the criminal justice system does not ask prisoners about their children or keep any other kind of relevant statistics. The most widely-accepted estimate, though, indicates that 90,000 incarcerated women have 145,000 minor children, and 1.23 million incarcerated men have 1.38 million minor children. In total, then, we estimate that nationally there are 1.53 million minor children who have a mother or father in prison.[6] There is another, much larger population of children that has experienced the incarceration of a parent at some point in their lives. As the inmate population continues to grow at an average rate of 7.8% annually, the number of children separated from their parents because of incarceration will also continue to grow.[7]

Unfortunately, though, the unique experiences and special needs of these children have gone largely unrecognized. For the most part, there are few statistics on children of offenders and very little research has been done. The goal of this issue brief, then, is simply to describe what happens to children—physically and emotionally—when their parents go to prison. Child welfare professionals—as well as professionals in criminal justice, education, medicine, mental health, legal services, and other social services—are likely to encounter growing numbers of children of incarcerated parents and should be aware of their special needs. Our hope is twofold: (1) to improve our own child welfare practices to better address the needs of these children and (2) to begin collaboration across systems to develop a better and more-coordinated service response.

Parental Characteristics

Who Are the Parents in Prison?

This issue brief begins, deliberately, with some general information about the incarcerated parents themselves. Too many times, efforts to help at-risk children ignore the fact that children have parents and are part of families. Just as with any other vulnerable children, we better serve the children of offenders when we acknowledge the importance of parent-child relationships and when we promote better parenting and stronger parent-child connections. When parents are in prison, though, it is particularly easy to vilify them as "bad people" or, at the very least, to disregard them as "bad parents." Often, we know little more about them than the crimes that they committed. When we take time to learn about their backgrounds, though, and to understand their feelings about their children, we begin to see them as individuals and we can better facilitate healthy parent-child and family relationships.

Mothers

Most women in prison are young women with histories of substance abuse. The majority are incarcerated for drug offenses

or drug-related property offenses.[8] The typical female offender comes from a single-parent home in which other family members have been incarcerated. One in five has lived in a family foster home or group care facility while growing up. About 4 out of 10 imprisoned women report that they have been physically or sexually abused, and for many, the abuse occurred before age 18. Most women in prison have limited education and poor employment skills, and less than half have completed high school. Upon release, most will be rearrested, and one-third will be jailed or imprisoned again within three years.[9]

Seventy-five to eighty percent of imprisoned women are mothers, and, on average, those women have two children. The majority are single parents who have sole responsibility for their children. When they enter prison, 8% to 10% are pregnant, and most prisons do not allow infants to remain with their mothers for more than a few days. Studies have shown that the majority of incarcerated mothers are concerned about the well-being of their children and make attempts to stay connected through phone calls and letters.[10] Eighty-five percent intend to resume custody upon release.[11]

Fathers

Ninety-four percent of all incarcerated persons are men.[12] More than 60% are between the ages of 18 and 34. The typical male inmate grew up in a single parent home and has at least one family member who has been incarcerated. More then one-third have experienced the incarceration of an immediate family member. One in seven were raised by relatives, and 17% spent time in out-of-home care. Thirty percent experienced parental substance abuse, and 12% report that they were physi-

cally or sexually abused in childhood. Most male offenders have limited education and poor employment skills. At the time of their arrest, 90% had an income below $25,000 and 69% had an income below poverty level. Male offenders receive average sentences of 103 months. More than two-thirds will be rearrested within three years of release.[13]

There is much less information about incarcerated fathers than there is about incarcerated mothers. It is known that at least 55% of incarcerated men are fathers, and on any given day, there are close to 500,000 fathers in prison. At least half of those men with two or more children have had these children with different mothers. Most incarcerated men are not married to or have an ongoing relationship with the mothers of their children. Also, most incarcerated men did not live with their children at the time of their arrest.[14]

Like incarcerated mothers, the majority of incarcerated fathers express concern for the well-being of their children. Fathers worry more, though, that their children lack guidance and discipline. They also worry that their children might forget them or lose respect for them. Incarcerated fathers feel powerless as parents, and most do not expect to participate in decision making with respect to their children. Many have no contact whatsoever with their children. As a result, fathers are less likely than mothers to see themselves as part of their children's futures, and they are less likely to plan on reuniting with their children after release.[15]

The Effects of Parental Incarceration

How Are Children Affected by Parental Incarceration?

Children who experience parental crime, arrest, and incarceration are profoundly affected physically, mentally, and emotionally. This section first examines the implications that parental incarceration has for a child's care and placement. It then discusses the emotional impact of parental incarceration—how children feel and behave when their parents are in prison.

The Care and Placement of Children

When a Parent is Arrested

Whenever a parent is arrested, little attention is paid to the needs of that parent's children.[16] When the arrestee is a single parent, concerns about care and placement of children become critical. There is no planned systemic response, however, and neither the police nor the child welfare agency automatically assume responsibility.

Approximately one in five children of incarcerated mothers were present at the their mothers' arrests. Half of these children were three to seven years old and in their mother's sole

care.[17] Different jurisdictions handle emergency placements of children of arrestees in different ways.[18] In many cases, though, police will leave children in the care of an available adult recommended by the parent. In other cases, police may take children to the police station and attempt to contact adults suggested by the arrestee or arrange for the child welfare agency to take custody. Accordingly, children may be placed informally with friends or relatives, or they may be placed in family foster homes or group care facilities through the child welfare system.[19]

In most cases, children are not present at their parent's arrest. In those cases, parents are not asked whether they have children, and they generally do not volunteer such information. Accordingly, most of these children are placed informally and do not immediately enter the child welfare system.

When a Parent is Incarcerated

Although the incarceration of either parent impacts many aspects of a child's life, it is particularly devastating when mothers go to prison because mothers are often the sole caregivers and sole financial support of their children. When mothers go to prison, their children often experience disrupted and multiple placements and increased financial hardship. Also, when mothers or fathers go to prison, their children experience a lack of contact with their parents. Finally, when children are placed in out-of-home care as a result of parental incarceration, unique permanency planning issues arise.

Disrupted and Multiple Placements

Because the children of almost all male offenders live with their mothers before, during, and after their fathers' incarcerations, paternal incarceration does not have significant impact on the

placement of children. About 90% of children with incarcerated fathers continue to live with their biological mothers. Eight to ten percent live with their grandparents during the father's incarceration, and 1% to 2% are placed in out-of-home care following their father's arrest and incarceration.[20]

Incarcerated women, however, are usually the sole caregiver of their children, and when they go to prison their children often experience disrupted and multiple placements. One-half of the children of women prisoners remain with, or are placed with their grandparents, most often the maternal grandmother. About one-fourth of the children remain with or are placed with their fathers, and 5% to 10% percent enter or remain in out-of-home care. Many children with mothers in prison live apart from their brothers and sisters.[21]

In 1993, there were approximately 42,000 children of incarcerated parents in out-of-home care—about 10% of the children of female prisoners and 1% to 2% of the children of male prisoners. Some of these children live in kinship foster homes, but most live with nonrelative foster families or in group homes.[22] It is not clear how many of these children were already in out-of-home care at the time of their parents' arrest and how many entered the child welfare system because no one was available to take care of them when their parents were arrested.[23]

Many children of women prisoners experience changes in placements and/or caregivers during their mother's incarceration. Up to two-thirds of children have at least one change in their caregiver while their mothers are in prison, and 11% will experience two or more changes in caregivers. Sixty percent will change residence at least once, and 14% will change households two or more times.[24]

Financial Hardship

Most children of incarcerated parents live in poverty before, during, and after their parents' incarceration.[25] For many, though, the financial hardship is particularly great during the time that a parent is in prison. Because mothers are often the sole support of their children, their incarceration leaves their children even more impoverished. And although most fathers are not living with their children prior to incarceration, some fathers do contribute to their children's financial support. For these children, the father's imprisonment also results in greater poverty.[26]

During their parents' incarceration, most children live with caregivers who are also poor. Many of these caregivers rely on public assistance to support the children living with them. Other sources of financial support include foster care payments, child support payments, and the caregivers' own income. Whatever the source, most caregivers report that the amount of support is not enough to meet the necessary expenses of the child.[27] Also, this lack of financial resources severely limits the caregiver's ability to support parent-child communication, visitation, and reunification.[28] It is also likely that the recent passage of federal and state welfare reform laws will impact heavily on these families and serve to worsen their financial condition.

Lack of Contact with Parent

Even though continuing contact between parent and child is a significant predictor of family reunification, most children experience a dramatic lack of contact with their imprisoned parents.[29] Numerous barriers inhibit or prevent parent-child visitation and less burdensome methods of communication—such

as phone calls and letters—are less satisfying and present their own unique set of difficulties.

One-half of incarcerated parents do not receive any visits from their children. Most of those who do receive visits do not receive them regularly or frequently.[30] While mothers often have a closer relationship with their children prior to incarceration, incarcerated mothers see their children even less frequently than incarcerated fathers.[31] (Incarcerated fathers receive more visits because the mothers of their children facilitate those visits). In a 1993 study of incarcerated mothers and their children, 54% of the children had *never* visited their mothers in prison.[32]

One of the greatest barriers to visitation is the geographical distance between the prison and the child's home. This issue is particularly problematic for incarcerated mothers, because women's prisons are often located in rural areas that are inaccessible by public transportation. Also, there are fewer women's prisons across the country, so it is more likely that women will be placed farther from their homes. In one study, more than 60% of the children lived more than 100 miles away from their mothers.[33]

Another barrier to visitation is the inability or reluctance of caregivers to facilitate the visits. Many caregivers have limited resources and are not able to afford transportation. Also, caregivers may feel that the prison environment is not appropriate for children or may worry that children will behave badly after visits. Finally, kinship caregivers may be reluctant to facilitate contact because they are angry at the parent for engaging in criminal behaviors.[34]

Other barriers include frequent inmate transfers and prison

overcrowding. When inmates are transferred in order to meet safety or space constraints, families may not be notified of the transfer in a timely manner. Also, overcrowded prisons can result in overcrowded visitor centers, long waits for visits, and early termination of visits.[35]

In some cases, parents themselves may discourage contact with their children. Many parents feel ashamed or embarrassed about being in prison and do not want their children to see them in that environment. Still others feel so powerless that they cut off contact as a means of exerting some control and protecting themselves from pain.[36] In other cases, children themselves may be reluctant to visit because they are angry with their parents or because the separation after the visit is too painful.

Children in state custody see their parents least frequently or not at all. In addition to all of the barriers outlined above, visitation for children in out-of-home care is inhibited by limited resources to pay for visitation costs, reunification plans and court orders that do not require visits, caseworker reluctance to facilitate visits, and foster parents' concerns about the fitness of the incarcerated parent.[37]

Even when visits do occur, the benefits of parent-child contact can be limited by the visit setting. Getting into the prison itself and going through security procedures can be a traumatic experience for children. Once inside, most prison visiting rooms are not geared for use by children. The rooms can be loud because of many visits taking place at once. There might be glass or other barriers between the parent and the child. Even where contact visits are allowed, most rooms are not equipped with toys or other child-friendly decoration that

would facilitate more natural contact.[38] Although few states have established child-centered visiting programs that allow parents and children to interact in a supportive, child-oriented environments, most visits take place in rooms that are not hospitable to children.

Maintaining contact by phone is also difficult. Because prisoners are allowed only collect phone calls—which are charged at a higher rate than regular long distance—families must limit their calls or the expense becomes prohibitive. Accordingly, for incarcerated mothers and their children, letters are the primary form of communication.[39]

Permanency Planning Issues for Children in Out-of-Home Care

Current child welfare practice is guided by the principle that every child is entitled to live in a permanent family. This goal of permanency for every child is reflected in federal law, which mandates that all states must promote permanency planning for the children that come to their attention.[40] Permanency planning is defined as:

> the systematic process of carrying out, within a brief time-limited period, a set of goal-directed activities designed to help children live in families that offer continuity of relationships with nurturing parents or caretakers and the opportunity to establish lifetime relationships.[41]

The first priority of permanency planning is that children remain in their homes or be reunified with their biological families. Again, federal law reflects this preference by requiring that states make "reasonable efforts" to maintain family connections and encourage family reunification by providing

appropriate preplacement and postplacement services. When children are not able to return home, the law requires that they be placed permanently with other families. The permanency preference then becomes adoption—or where adoption is not possible, long-term guardianship or placement in a permanent foster home.

When children first come into care, caseworkers must work with parents to develop a case plan that reflects these permanency planning goals. The law mandates periodic case reviews so that the court can monitor the family's progress and determine whether the child should remain in foster care, return home, or be freed for adoption. These procedures are designed to ensure that children move toward permanence in a timely fashion.

When parents are in prison, permanency planning can be particularly difficult. Parents and caseworkers have a mutual responsibility for making a permanent plan and working to implement that plan. Geographical distance and other constraints of incarceration inhibit contact between caseworkers and parents and make it difficult for parents to participate in planning. Also, all of the parties involved must struggle with difficult issues. Parents—especially those incarcerated for long periods of time—must honestly examine their ability to parent their children in a meaningful way or to provide a plan that will insure that their children are adequately cared for until their release. Caseworkers must examine any biases they might have against the parents' criminal activity and make sure their lack of understanding does not inhibit reunification. Everyone involved must honor the importance of the parent-child bond and must keep paramount the child's right to a permanent home and family.

Barriers to Reunification

For families of prisoners with children in out-of-home care, there are three primary barriers to reunification : (1) it is difficult for prisoners to access services; (2) it is difficult for prisoners and caseworkers to communicate about permanency planning criteria; and (3) it is difficult for prisoners to maintain contact with their children, which is a basic requirement for reunification.[42]

From the perspective of incarcerated parents, working with the child welfare system is difficult. One study of incarcerated mothers who sought help for child custody issues showed that 78% felt they were receiving inadequate reunification services from public child welfare agencies. These mothers expressed difficulties communicating with social workers and perceived their social workers as being opposed to reunification. They also reported receiving no social services support for parent-child communication and no referrals to correctional or reentry programs. Twenty percent of the mothers did not agree with the CPS custody plan for their children, and many reported that caregivers were opposed to parent-child contact. Twelve percent of the mothers lost track of their children in the foster care system.[43] Other studies have also highlighted the lack of contact between imprisoned mothers and caseworkers as the major impediment to effective permanency planning.[44]

From the perspective of child welfare professionals, working with children and families separated by incarceration presents unique challenges. The primary difficulty is the geographical distance between the worker, the child, and the parent. When parents are incarcerated far outside the worker's usual jurisdiction, it is difficult for the worker to communi-

cate with the parent in person, transport the child to visit with the parent, or broker services for the parent. Also, the security constraints of a prison can make it difficult for the worker to stay in regular contact with the parent by phone or letter. Finally, communication can be difficult if the worker is unfamiliar with the prison system or intimidated by the prison atmosphere.

Fifty percent of the children in this country who enter out-of-home care return home within the first six months. Two-thirds return home within two years. Although no one knows how outcomes of placement for children of prisoners in out-of-home care differ from outcomes for other children in out-of-home care, we do know that the average woman prisoner serves 16 months and the average male prisoner serves 66 months. Federal law requires that children in out-of-home care have a plan for permanent placement within 18 months of placement, suggesting on the basis of time alone that many children of prisoners are not likely to be reunified with their parents.[45]

Termination of Parental Rights

In some states, prisoners confined for significant periods of time may be at increased risk for termination of parental rights. When relatives are not available to care for children and imprisoned parents cannot meet permanency planning and reunification requirements, states may move to terminate parental rights after identifying adoption as the permanency goal for the child. More than 25 states have termination of parental rights statutes or adoption statutes that explicitly pertain to incarcerated parents.[46]

Many factors may combine to increase the risk of termination of parental rights. In addition to the difficulties main-

taining parent-child contact and the lack of services available to children and families, imprisoned parents of children in out-of-home care may be unaware of their legal rights and responsibilities and may not take the necessary steps to preserve their parental rights. Although states do provide parents with legal counsel once a termination action has been filed, parents may not have communicated with their children or planned for their children's care prior to that time.

Although there are few statistics about the rate of termination of parental rights actions for children of incarcerated parents, one survey of African American children in out-of-home care showed that 12% to 18% of all terminations of parental rights within this population occurred among families with an incarcerated parent, where the child entered the child welfare system because of the parent's incarceration.[47]

In other states, it may actually be more difficult to terminate parental rights when a parent is in prison. In those states where incarceration is not included in the termination criteria, the prosecution may find it difficult to show that the circumstances fall into other categories of the statutory termination scheme. Also, the state may not be able to meet its burden of providing treatment or other services to the imprisoned parent prior to seeking termination of parental rights. In these cases, children are at increased risk for remaining in out-of-home care for long periods of time and never finding a permanent family.

Lengthy Incarceration

When parents are imprisoned for significant periods of time, it is particularly important that caseworkers and parents work together to help children find permanency. With good communication, caseworkers can help parents understand and fo-

cus on the needs of their children—and together, the caseworkers and parents can make a plan that provides their children with permanent families while still maintaining connections with birth families. When parents and caseworkers explore various options, it is important to remember that children need to have a legally-recognized relationship with their caregivers. Legal relationships ensure that children are protected and that caregivers have authority to make decisions on behalf of children.

For parents serving long sentences, one often overlooked option for permanence is the voluntarily relinquishment of parental rights and consent to adoption. Although consent to adoption can be a difficult subject for workers to broach and for parents to consider, it may be particularly feasible where a kinship adoption or an open adoption is planned.

When adoption is inappropriate or impractical, long-term guardianship provides the greatest amount of permanence possible for a child. Guardianship can be a particularly good option for children in kinship care where family relationships make termination of parental rights and adoption unrealistic. In kinship families where the family has already assumed responsibility for a child, guardianship gives the established relationship a legal status and grants the caregiver authority to make decisions for the child. Also, guardianship provides stability for the child while the parent is in prison, but still allows for the possibility of reunification once the parent is released.

When a Parent is Released

Although most children and families look forward to the day that the prisoner is released, many families experience a whole new set of difficulties. For mothers who have been separated from their children, there are still many obstacles to reunification. Women leaving prison are often homeless, poor, and struggling to stay substance-free. They receive little help with

pre- or postrelease planning, and they can be cut off from supportive services right when they need them the most. Also, the mother, child, and caregiver may have difficulty reestablishing and redefining relationships. Caregivers may not want to give up children and may not trust the parent's ability to live a responsible, crime-free life. Children themselves may feel conflicted, may worry about their caregiver, or may place unrealistic expectations on the returning parent.[48] Also, when children have been placed in out-of-home care, it can be particularly difficult for the parent to regain legal custody. Just as with any other parent whose child has been placed in out-of-home care, the burden is on the released parent to show the court that changed circumstances make it safe and advisable for the children to return home.

Even when parents and children have been reunited, they continue to face significant challenges. Mothers, in particular, must struggle with few resources to provide for their children while trying to stay substance-free and to reestablish their own lives. Again, it is likely that the impact of recently-enacted welfare reform laws will only make the struggle more difficult. For the most part, the stresses that were on the family prior to the parent's incarceration are still there when the parent returns. There is little support available to help the family through this difficult time.[49]

The Feelings and Behaviors of Children

Feelings

Children experience a broad range of emotions when their parents go to prison. Initially, they feel tremendous fear and anxiety. They worry that they have been abandoned or that they will never see the parent again. They may worry that the

remaining parent or caregiver will also disappear, or that the parent or caregiver cannot protect them or prevent other bad things from happening. The separation anxiety may cause nightmares, fear of strangers, fear of being alone, or "clinginess" to a person or object. The uncertainty of the criminal justice process contributes to these fears, as no one can say for certain what will happen to the parent or when the parent will return. Children have vivid imaginations and will worry that something terrible has happened to the parent in prison.[50]

Children may also feel sad and alone. They believe that they did something wrong that caused the parent to leave or that they could have prevented the crisis by behaving better or trying harder. These sad feelings contribute to a sense of isolation. People may not know or understand what children are experiencing, and the sadness and isolation may go unrecognized as children withdraw.[51]

Other common reactions include anger and guilt. The child may be mad at his parent for committing the criminal behavior or for causing the family to be separated. The child may also believe that his behavior contributed in some way to the parent's incarceration. This guilt may cause the child to lose confidence and withdraw or to act out as a way of seeking punishment for his behavior. The guilt may also cause the child to avoid any fun activities or interactions.[52]

The stigma of incarceration is significant. Children may be teased and taunted about their parent's situation, or they may be avoided and isolated for being part of a "bad" family. On the one hand, children may feel ashamed of and angry at the parent. On the other hand, they may feel intense loyalty and may fight to defend the parent. The stigma of incarceration

makes it hard for children to seek help because they feel embarrassed and fear rejection of themselves and of their parent.[53]

Children also experience confusion about values as they struggle to reconcile what the parent has taught with how the parent has behaved. They also may become confused about their role in the family and may try to fill the void left by the parent. In the midst of all of this, families may not be forthcoming with details about the incarceration or may actively deceive the child. Children always know that "something" is going on—and the deception only compounds the emotional trauma they experience.[54]

Behaviors

The behaviors exhibited by children traumatized by incarceration will vary according to age, health of family, disruptiveness of incarceration, learned coping strategies, length of sentence, and availability of resources and supports. Generally, though, children may develop physical symptoms such as headaches and stomachaches; become afraid of the dark or begin to have nightmares; regress to bed-wetting or thumb sucking; withdraw from social activities; show anger or aggression toward caregivers; become disobedient and defiant at home or at school; perform poorly at school; or engage in delinquent behaviors such as stealing or drug use. Many of these behaviors come and go as children and families cope with the incarceration. The particularly stressful times tend to be at the parent's arrest, during the trial, at the sentencing, during the initial incarceration, and just before and after the parent's release.[55]

Ultimately, those children who experience continuing trauma and repeated disruptions as a result of their parents'

criminal activities and incarcerations are at risk themselves for delinquency and incarceration. Many of the teenage children of offenders will engage in some form of criminal behavior and approximately 10% will be incarcerated as juveniles or adults.[56]

Why We Should Care and What We Can Do

Why Should We Care about Parental Incarceration?

Children with parents in prison are a vulnerable population, and there are several important reasons for intervening to address their special needs. First, the number of children impacted increases daily and current criminal justice policy suggests that numbers will continue to rise. Second, the costs of keeping children in care are significant. If we do not begin to meet the service needs of these families, more and more children will enter the child welfare system. The implications for child welfare are particularly significant in light of recent movement to shorten permanency planning time frames. Finally, research strongly suggests that there is an intergenerational aspect to crime and incarceration. Long-term societal implications demand that we intervene *now* to break the cycle.

For child welfare professionals—who are already coping with large caseloads and minimal resources—it may seem particularly overwhelming to ask that these children be added to an already long list of responsibilities. It is important to realize, though, that dedicating child welfare resources to this issue is a necessary investment that will head off larger problems in the future. When we see families with parents in prison, we

often find that incarceration is just one of the problems facing those families. The family is probably poor—and is often coping with other parental behaviors like substance abuse or domestic violence. It is important to view parental incarceration as one indicator that a child may be at risk of abuse or neglect.

Just as with any other subset of the child welfare population, reunification will not be appropriate for a small percentage of children with parents in prison—most often because of parental recidivism or reincarceration. Most of these children, though, will be reunified with either their parents or their extended families. Accordingly, it is important to view the period of incarceration as a window of opportunity for intervention with families in crisis. By identifying these children and helping develop and provide services to meet their needs, we make successful reunification more likely for children already in care and we lessen the likelihood of more children entering the system.

Child welfare professionals have expertise in providing care and support for children who are unable to live with their parents. We cannot take on sole responsibility for this population of children, but we can contribute our expertise to finding and implementing creative service responses to the needs of children and families separated by incarceration.

What Can We Do to Help?

The most important task for child welfare professionals is to identify the children within the child welfare system who have parents in prison. Once these children and families have been identified, we can work to provide services and develop resources that better serve their special needs. At the same time, child welfare professionals can collaborate with other systems to help

meet the needs of the much larger population of children and families impacted by incarceration.

Identify Children in Out-of-Home Care Who Have Parents in Prison

There has been very little information collected specifically about children whose parents are incarcerated. Child welfare professionals can provide an important piece of information by exploring the extent to which these children are part of the child welfare population. The primary task is to determine the number of children in out-of-home care who have an incarcerated mother or father. Other important questions to ask include: How many children were already in care before the parent's arrest? Why did those children come into care? How many children came into care because of the parent's arrest or incarceration? Where is the child placed? How long has the child been in that placement? What are the outcomes of placement? Specifically, what percentages are reunited with their parents, placed permanently with relatives, and freed for adoption? Is there a relationship between the permanency outcome and such factors as length of incarceration, number of times that the parent is incarcerated, and reasons for the incarceration? How do these numbers differ for incarcerated mothers and incarcerated fathers?

Identify Gaps in Services and Advocate for Resource and Service Development

The first step toward providing better services to the children of prisoners is to identify the unmet needs of these children and their families. In performing a self-assessment, agencies

should explore the experiences of child welfare professionals working with families with incarcerated parents and identify the issues or barriers that affect that work. Agencies could also consider participating with other social service and advocacy organizations to do a community-specific needs assessment that identifies existing community resources that serve children whose parents are incarcerated. Finally, agencies could participate in dialogues with state and local criminal justice professionals so that the two groups could understand more about each other's work, could explore how the lack of coordination between the two systems impacts children, and could learn more efficient ways of interacting with each other in order to better serve children. Once we have a better idea of who these children are and where gaps in services exist, we can help publicize the special needs of these children and can help advocate for better services and more resource development.

Enhance Services to Better Meet the Needs of Children of Prisoners

Once we identify the children in out of home care who have parents in prison, child welfare professionals can enhance their work with these children and families of prisoners by:

1. **Considering ways of providing preventive services.** Although most children of parents in prison are not in out-of-home care, parental incarceration is a risk factor for abuse and neglect. For example, children may be at increased risk for entering the child welfare system once their parents return home because their families may still be coping with the behaviors that resulted in the incarceration. We need to view parental involvement with the

criminal justice system as a warning sign and then consider ways to provide family preservation or family support services to these families. By linking parents with supportive services, such as drug treatment or family counseling, we can prevent children from coming into care and we can help lessen the trauma these families experience.

2. Strengthening permanency planning services.
To do the most effective permanency planning with children and families of prisoners, caseworkers need to involve imprisoned parents to the greatest degree possible and maintain contact with them throughout the process. Also, it is particularly important to investigate the whole range of permanency options that might be available to the family. Instead of considering only reunification or termination of parental rights and adoption, caseworkers and families should also explore the possibility of kinship care with guardianship, kinship foster care, voluntary consent to open or relative adoption, and, for a small number of children, permanent family foster care with guardianship.

3. Strengthening reunification services.
Most importantly, caseworkers can increase the likelihood of reunification by staying in close contact with the incarcerated parent. In particular, caseworkers should involve parents in case planning activities and should make sure parents receive as much information as possible about their children. Facilitating contact between parents and children is another important way of encouraging

reunification. Also, assisting parents with postrelease planning is crucial. Finally, caseworkers increase the likelihood of reunification by drafting realistic service plans and by helping link parents in prison with supportive services, such as drug treatment programs and parenting education.

4. **Providing more training to caseworkers and foster parents.**
Agencies could train caseworkers and foster parents about special issues involved in working with children who have parents in prison, including:

- *Understanding special needs.* Agencies could provide caseworkers with training about the affects of parental incarceration on children, the ways in which this population is unique from other children in out-of-home care, and the special needs that these children and families have. One way of helping caseworkers work with these families is to point out that incarceration can be a good opportunity for successful intervention with families. Many parents become more stable in prison through drug treatment and other supportive services. With encouragement, parents can become intensely motivated to improve their parenting skills and prepare for reunification.

- *Accessing available resources.* Agencies could make caseworkers aware of any services or resources specifically designed for children and families of prisoners and could provide training about how to access services, generally, for children and families separated by incarceration.

- *Encouraging parent-child contact by facilitating visits and other forms of communication.* Agencies could train caseworkers and foster parents about the importance of parent-child contact; how to prepare children for visits; how to work with caregivers to facilitate visits; and how to respond to children's behavior after visits. Agencies could make also provide information about tracking parents in the prison system and visiting procedures for different institutions.

- *Engage in cross-systems collaboration with criminal justice.* The issues surrounding parental incarceration are complex and no one system can single-handedly meet the needs of these families. Consequently, it is important that the systems having the most immediate points of contact with these children—primarily the criminal justice system and the child welfare system—work collaboratively to advocate for and develop responsive programs and services. The first step is for child welfare and criminal justice professionals to talk with one another and learn more about each other's programs, resources, responsibilities, and concerns. The second step is to better coordinate existing procedures and services—and to begin working together to develop new services. At the same time, we should be raising public awareness of this issue and reaching out to professionals in other fields so that we can create a system of support that responds as holistically as possible to the needs of children and families separated by incarceration.

Notes

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3. *Ibid.*
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6. D. Johnston, *Report No. 13: Effects of parental incarceration* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, n.d.).
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10. B. Bloom, "Incarcerated mothers," in K. Gabel & D. Johnston (Eds.), *Children of incarcerated parents* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, 1995), pp. 21–30.

11. P. Genty, "Termination of parental rights among prisoners," in K. Gabel & D. Johnston (Eds.), *Children of incarcerated parents* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, 1995), pp. 167–182.

12. W. DiMascio.

13. D. Johnston, "Incarcerated parents."

14. C. F. Hairston, "Fathers in prison," in K. Gabel & D. Johnston (Eds.), *Children of incarcerated parents* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, 1995), pp. 31–40.

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18. B. Smith & S. G. Elstein.

19. D. Johnston, "The care and placement of prisoners' children."

20. D. Johnston, *Report No. 13.*

21. D. Johnston, "The care and placement of prisoners' children."

22. D. Johnston, "Intervention," in K. Gabel & D. Johnston (Eds.), *Children of incarcerated parents* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, 1995), pp. 199–236.

23. Compare D. Johnston, "The care and placement of prisoners' children" (5% to 7% of the children of incarcerated mothers were living in foster care at the time of their mother's arrest) with J. Norman, "Children of prisoners in foster care," in K. Gabel & D. Johnston (Eds.), *Children of incarcerated parents* (Pasadena, CA: Pacific Oaks Center for Children of Incarcerated Parents, 1995), pp. 124–134 (the majority of children of incarcerated parents in out-of-home care entered the child welfare system because no one was available to care for them when their parents were arrested).
24. D. Johnston, "The care and placement of children."
25. *Ibid.*
26. C. F. Hairston.
27. B. Bloom & D. Steinhart, *Why punish the children? A reappraisal of the children of incarcerated mothers in America* (San Francisco, CA: National Council on Crime and Delinquency, 1993).
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53. *Ibid.*

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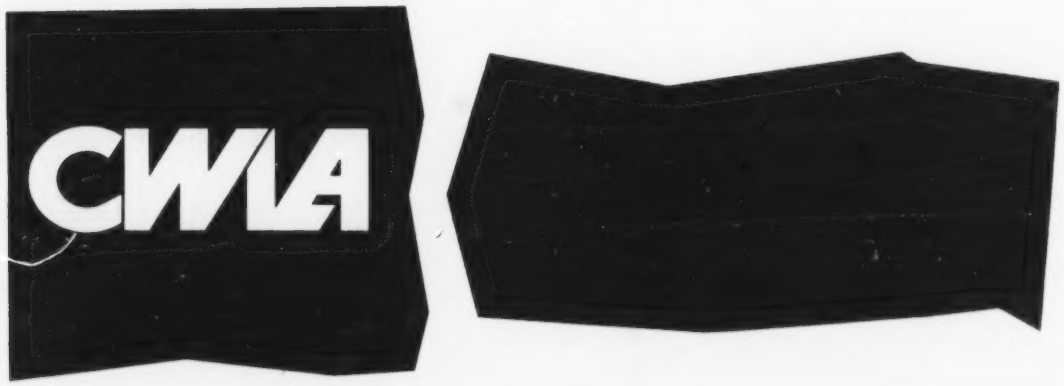
56. D. Johnston, *Report No. 13.*

For Further Information

If you would like more information on the effects of parental incarceration on children, contact the Child Welfare League of America staff member listed below.

Cynthia Beatty, General Counsel
Child Welfare League of America
440 First Street, NW, Third Floor
Washington, DC 20001-2085
202/942–0270



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